



USDA Foreign Agricultural Service

# GAIN Report

Global Agriculture Information Network

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## EU-25

### Oilseeds and Products

### Conditions for importing biodiesel to the EU from the U.S.

**2005**

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**Report Highlights:**

The European Commission wishes to increase the market share of renewable biofuels in the transport sector.

This report contains information on importing biodiesel from the U.S. to the EU.

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Unscheduled Report  
Brussels USEU [BE2]  
[E3]

The European Commission wishes to increase the market share of biodiesel in the transport sector. This is a mean to reach the goal of having 5.75 percent renewable fuels in transports by 2010.

Companies located in EU Member States can import biodiesel from third countries. Biodiesel made out of tallow or used cooking oils falls under Directive 2003/30/EC on the promotion of the use of biofuels in transport. Its use can therefore contribute to reaching the target market share of biofuels envisaged in the Directive.

There is currently no specific customs classification for biodiesel, therefore the classification and hence the import conditions may vary. For biodiesel in the form of FAME (fatty acid methyl ester) classified in CN code 3824 90 99 in the case of the USA currently a third country duty of 6.5 percent applies. There are no quantitative restrictions.

According to the European Commission it is possible and advisable to apply for a Binding Tariff Information (BTI), which is issued by customs authorities. A BTI ensures uniform treatment of the respective product in all EU Member States. More about BTI and how to apply for them can be found at:

[http://europa.eu.int/comm/taxation\\_customs/common/databases/ebti/index\\_en.htm](http://europa.eu.int/comm/taxation_customs/common/databases/ebti/index_en.htm)

The information on import conditions in this report only applies to the import of biodiesel (FAME), but not to the import of source products like tallow or (used) cooking oil. As well as different custom rules, there would also be special regulations for products that may end up in the food chain.

Excise duty reduction or exemption schemes differ between Member States (see GAIN [E35058](#)). There are basically two kinds of schemes: General schemes for unlimited quantities (e.g. Germany, Sweden, UK) and schemes which grant exemptions or reductions for certain quotas following calls for tenders.

According to Directive 2003/96/EC on the taxation of energy products excise duty incentives should take into account the cost of raw material. There is currently a debate on differentiation of tax reductions on the basis of the raw material used.

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#### Related reports from USEU Brussels:

Report Number	Title	Date Released
E35085	Strong Growth anticipated for EU Biodiesel Production	05/03/05
E35058	Biofuels situation in the European Union	03/23/05
These reports can be accessed through our website <a href="http://www.useu.be/agri">www.useu.be/agri</a> or through the FAS website <a href="http://www.fas.usda.gov/scripts/attacherep/default.asp">http://www.fas.usda.gov/scripts/attacherep/default.asp</a> .		